



Order Filed on December 10, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

<p>UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY</p> <hr/> <p>Caption in compliance with D.N.J. LBR 9004-2(c)</p> <p>Mester & Schwartz, P.C. Jason Brett Schwartz, Esquire Bar No. 4217 1917 Brown Street Philadelphia, PA 19130 (267) 909-9036</p>
<p>In Re:</p> <p>THOMAS LAVECCHIA,</p> <p>Debtor</p>

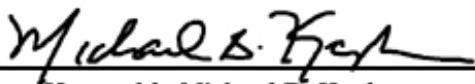
Case No.: 20-10786-MBK

Judge: Michael B. Kaplan

**CONSENT ORDER MODIFYING STAY AS TO MOTOR VEHICLE
2012 HONDA CR-V-4 CYL. UTILITY 4D EX 4WD**

The relief set forth on the following pages, number two (2) through four (4) is hereby
ORDERED.

DATED: December 10, 2020



Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtor: Thomas LaVecchia
Case No.: 20-10786-MBK
Caption of Order: Consent Order Modifying Stay as To Personal Property

1. The 11 U.S.C. § 362(a) Stay as to Capital One Auto Finance, a division of Capital One, N.A., its successors and/or assigns ("Movant"), with respect to the personal property of the Debtor described as a 2012 HONDA CR-V-4 CYL. Utility 4D EX 4WD, V.I.N. JHLRM4H57CC020299, in accordance with the agreement of the Debtor and Movant, is hereby modified and shall remain in effect PROVIDED THAT Debtor complies with the following terms and conditions:

(a) Debtor is current with respect to post-petition payments that have come due through November 25, 2020.

(b) Debtor will resume making all future regular monthly installment payments of \$319.12 (subject to changes for taxes, insurance costs and late fees, if any) beginning on December 25, 2020; Debtor will timely make each payment in accordance with the terms and conditions of the loan document between Debtor and Movant.

2. Debtor will remain current on all payments ripe, due and owing under the terms of the Chapter 13 Plan. Debtor will pay Movant as an administrative expense through the Chapter 13 Plan the sum of \$306.00 for attorney's fees and costs.

3. The term "payment" as set forth in Paragraph 1, *supra*, does not include a check that is returned due to insufficient funds, account closed or is otherwise not capable of negotiation for any other reason.

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Debtor: Thomas LaVecchia
Case No.: 20-10786-MBK
Caption of Order: Consent Order Modifying Stay as To Personal Property

4. Debtor will be in default under the Consent Order in the event that Debtor fails to comply with the payment terms and conditions set forth in Paragraph 1, *supra*. If Debtor fails to cure the default within thirty (30) days from the date of default, Movant may apply on five days' notice to Debtor and counsel for Debtor and the Chapter 13 Trustee for an order lifting the automatic stay imposed under 11 U.S.C. § 362(a) and permitting Movant to exercise any rights under the loan documents with respect to the motor vehicle including, but not limited to, initiating and completing a sale of the motor vehicle without regard to any future conversion of this matter to a different form of bankruptcy.

5. In the event Debtor converts to a bankruptcy under any Chapter other than Chapter 13 of the Bankruptcy Code, then Debtor shall pay all pre-petition arrears and post-petition arrears due and owing within fifteen (15) days from the date the case is converted from Chapter 13 to any other Chapter. If Debtor fails to make payments in accordance with this paragraph, then Movant, through counsel, may file a Certification of Default setting forth said failure and Movant shall be granted immediate relief from the automatic stay provision of Section 362 of the Bankruptcy Code (11 U.S.C. § 362) and the Movant is then permitted to exercise any rights under the loan documents with respect to the motor vehicle including, but not limited to, initiating and completing a sale of the motor vehicle.

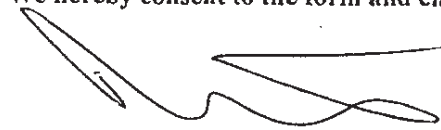
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Debtor: Thomas LaVecchia
Case No.: 20-10786-MBK
Caption of Order: Consent Order Modifying Stay as To Personal Property

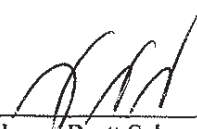
6. The failure of Movant to issue a notice of default will not be construed or act as a waiver of any of the rights of Movant under the Consent Order.

7. Debtor waives the fourteen (14) day stay provided under Rule 4001(a)(3), F.R.B.P.

We hereby consent to the form and entry of the foregoing Order.



Daniel E. Straffi, Esquire
Straffi & Straffi, LLC
670 Commons Way
Toms River, NJ 08755
Attorney for Debtor



Jason Brett Schwartz, Esquire
Mester & Schwartz, P.C.
1917 Brown Street
Philadelphia, PA 19130
Attorney for Capital One Auto
Finance, a division of Capital One, N.A.

In re:
Thomas LaVecchia
Debtor(s)

Case No. 20-10786-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Dec 10, 2020

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 12, 2020:

Recip ID	Recipient Name and Address
db	+ Thomas LaVecchia, 5 Division Street, Brick, NJ 08724-3511

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BY PASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 12, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 10, 2020 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Aleisha Candace Jennings	on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper ajennings@rasflaw.com
Daniel E. Straffi	on behalf of Debtor Thomas LaVecchia bkclient@straffilaw.com G25938@notify.cincompass.com;familyclient@straffilaw.com;bktrustee@straffilaw.com
Denise E. Carlon	on behalf of Creditor Specialized Loan Servicing LLC dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Jason Brett Schwartz	on behalf of Creditor Capital One Auto Finance a division of Capital One, N.A. jschwartz@mesterschwartz.com
Laura M. Egerman	

District/off: 0312-3

User: admin

Page 2 of 2

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on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper bkyecf@rasflaw.com
bkyecf@rasflaw.com;legerman@rasnj.com

Laura M. Egerman

on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION bkyecf@rasflaw.com
bkyecf@rasflaw.com;legerman@rasnj.com

Rebecca Ann Solarz

on behalf of Creditor Specialized Loan Servicing LLC rsolarz@kmlawgroup.com

Rebecca Diane Boudwin

on behalf of Creditor Claudine Intelisano rboudwin@comegnolaw.com

Sindi Mncina

on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper smncina@rascrane.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 11